

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
MARCH 3, 2014

The Common Council of the City of West Lafayette, Indiana, met in the Walnut Room at the West Lafayette Public Library on March 3, 2014, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

Present: Bunder, Burch, Dietrich, Hunt, Keen, Thomas, and VanBogaert.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, Parks Assistant Superintendent Ainsworth, Public Works Director Buck, Police Chief Dombkowski, Street Commissioner Downey, Human Resources Director Foster, WWTU Director Henderson, IT Director Newman, and Director of Development Poole.

MINUTES

Councilor Keen moved for acceptance of the minutes of the January 30, 2014, Pre-Council Meeting, and the February 3, 2014, Common Council Meeting. Councilor Burch seconded the motion, and the motion passed by voice vote.

COMMITTEE STANDING REPORTS

STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY

Councilor Bunder noted that at a recent Board of Works meeting, a concern was raised about the delays in the Kalberer Road lift station.

PUBLIC SAFETY AND ORDINANCE

Councilor Keen presented this report, which will be on file in the Clerk-Treasurer's Office.

PURDUE RELATIONS

Councilor VanBogaert reported on events at Purdue University.

PARKS AND RECREATION

Councilor Hunt presented this report, which will be on file in the Clerk-Treasurer's Office.

ECONOMIC DEVELOPMENT

Councilor Thomas presented this report, which will be on file in the Clerk-Treasurer's Office.

Councilor Bunder asked if there is a report on the State government's move on inspection rights for cities.

Director of Development Poole stated that the current House Bill is number 1403. It made it through the House with West Lafayette, Bloomington, and Goshen being grandfathered. If a city had an inspection program prior to 1984, it was exempt from this legislation and he hopes that it will pass through the Senate with that exemption still in place. He clarified for Councilor Bunder that the exemption is from the legislation that would make it more difficult for a community to start a rental inspection program, including the fees charged and how it is done.

PERSONNEL

Councilor Burch presented this report, which will be on file in the Clerk-Treasurer's Office.

BUDGET AND FINANCE

There was no report.

REPORT OF APC REPRESENTATIVE

There was no report.

SPECIAL REPORTS: None

PUBLIC RELATIONS: None

FINANCIAL REPORT

Clerk-Treasurer Rhodes reported that the implementation of the new software is progressing, but the go-live date for financials has been delayed to May 1 due to the move out of City Hall.

LEGAL REPORT

City Attorney Burns stated that this report is on file. He stated that if there are questions regarding the Lutz Street property, he is not involved with that due to a conflict, but he does know that the State Fire Marshall's final report will be necessary before the City can move forward. In response to a question from Councilor Burch, City Attorney Burns explained that the mentioned of a LEADS agreement refers to a contract involving the apprehension of stolen property.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 09-14 An Ordinance Concerning The Construction Of Additions And Improvements To The Sewage Works Of The City Of West Lafayette, Indiana, The Issuance Of Revenue Bonds To Provide The Cost Thereof, The Collection, Segregation And Distribution Of The Revenues Of Said Sewage Works, The Safeguarding Of The Interests Of The Owners Of Said Revenue Bonds, Other Matters Connected Therewith, Including The Issuance Of Notes In Anticipation Of Bonds, And Repealing Ordinances Inconsistent Herewith (Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 09-14 by title only.

Councilor Keen moved for passage of Ordinance No. 09-14 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

WWTU Director Henderson explained that the purpose of the bond is to fund two projects. The first is a sewer main extension along the new Cumberland Avenue extension. This will provide sewer service to development along the US 231 corridor. The second project is Phase 1 of phosphorus removal at the plant, as required by the Indiana Department of Environmental Management (IDEM) and the Environmental Protection Agency (EPA). He introduced Jim Treat (O.W. Krohn & Associates) to explain the financial details.

Mr. Treat stated that the bond amount is a maximum of \$4 million. Of that, approximately \$2.5 million would be for the Cumberland Avenue extension project. The estimate for the hard costs for the phosphorus project is \$1.4 million. Approximately \$100,000 is to cover contingencies and issuance costs. He stated that a question was asked about why we are not going back to

the State Revolving Fund (SRF) Loan Program for this project since it provides good interest rates. He explained that because the Cumberland project is not for environmental improvement but for serving growth, it is not eligible for SRF funding, so we need to do an open-market deal. The bond ordinance was developed with bond counsel; Dennis Otten and Greg Hahn are here from Bose McKinney & Evans LLP. Mr. Treat explained that based on budgeted revenues for 2014, we should have nearly \$11 million in total pledged revenues for the Utility. That does include storm water fees. Compared to the operating expenses, that leaves approximately \$5.8 million in net pledged revenues to service the new debt. When looking at the existing bond payments and adding this generous estimate of \$380,000 as a repayment amount for this new bond issue, there is still a bond coverage of 165% which is a strong bond coverage number. Mr. Treat stated that we have to be careful about what storm water revenues are used for, and there are sufficient revenues from wastewater to make the bond payments. We will be utilizing the storm water revenues to show the additional coverage and credit worthiness of the Utility, which is specifically allowed for in the storm water ordinance. We will not be using those dollars to make the payments on these bonds.

Councilor Keen stated that he noticed on the amortization schedule that there is an interest rate of 4.75%, but at Pre-Council we talked as high as 6%.

Mr. Treat stated that it is simply a parameter in the bond ordinance for a maximum amount for the bonds, but it is not what will be incurred. It is typical practice to put a high limit. He stated that depending on how quickly we can actually do this, he expects to be a lot under that amount.

Mayor Dennis stated that is a valid point as rates change daily.

Mr. Treat stated that when planning he prefers to use high numbers as there is a process that needs to be done to prepare for a competitive bond sale, and there are some extra issues on wastewater bonds after the ordinance is adopted which push the timing out further. He stated that he has a number of bond issues right now, so he is getting a lot of feedback and has done a lot of research. The primary focus will be banks, though information will be sent to underwriters as well. Right now the market is very strong and competitive. Mr. Treat stated that he would like the Council to consider suspending the rules and adopting this ordinance in two readings this evening to try to get these strong rates.

Councilor Hunt asked if the amount of reserves for a crisis is fine.

Mr. Treat responded that it is. There is an existing debt service reserve, and there will be a reserve requirement for this deal that will built over time as with the SRF bonds.

Councilor Dietrich asked if there is a way to project a return on this; if this is simply an infrastructure thing that we need to do, or if there is any way to tell that as businesses expands into this area what percentage of user fees may be recouped.

Mr. Treat responded that to be conservative, no growth has been included. This is based on the existing customer base plus the new storm water fees. Considering growth is too speculative from a credit standpoint.

Mr. Treat noted that the phosphorus project is an additional regulatory cost.

Mr. Otten (Bose McKinney & Evans LLP) stated that the ordinance is quite similar to the SRF refunding ordinance adopted last year. He explained that in addition to the maximum amounts, the ordinance authorizes the projects, and it is the contract between the City and the

bondholders. After adoption there will be a notice published, and after a 20-day period the bond sale can move forward. He confirmed for Councilor Dietrich that the entire \$4 million will be sold at once, so bidders must bid for the entire thing.

Councilor Burch stated that within the ordinance, it says that we have \$500,000 on hand. She asked what source that is from.

Mr. Treat responded that it came from the Improvement Fund, and those funds are already spent on the design and preliminary engineering work on the two projects which minimized the borrowing amount. He confirmed for Councilor Burch that there will not be a rate increase for necessary to sell these bonds.

Councilor Burch asked about the ramifications of not passing this ordinance.

Mayor Dennis responded that there would be no plumbing to that area, and there are the phosphorus issues.

Mr. Treat stated that there is not really a choice on the phosphorus issue.

Councilor Hunt asked if it would save money to have two readings now rather than put it off for a month, and if it is a guess as to what the market is going to do and if that affects the bonds. She noted that the stock market has been affected by the issue in the Ukraine. She asked if this is what that is based on.

Mr. Treat responded no. He has experience in the market on a continuous basis with recent deals, and knows that it is a favorable market right now with the group of purchasers that this deal will be directed at. It is favorable circumstances now, but it is impossible to predict what it will be in 60 days. He stated that until the notice to sell is in the paper, the market will be watched to decide if it is still prudent to move forward as quickly as possible or if it is not a good idea. By doing this a little quicker it gives one more option of moving forward into the market quickly if it stays favorable.

Clerk-Treasurer Rhodes stated that the Council may recall that Director Henderson presented the prospect of a bond issue for several lift station projects through the SRF program. There was approval of a preliminary engineering report in November of 2013. We are just a bit ahead with getting out the 2014 proposed budget. She asked that this bond be put into the context so it is clear to the Council what is on the plate for the Utility in terms of the capital plans, rather than just looking at the bond issue in isolation.

Director Henderson stated that there are two lift station projects in the queue. They have been given a preliminary ranking in the SRF priority list. One is the Sheraton lift station what will connect into the Cumberland sewer with a new force main. The second is the Fairway Knolls lift station at the end of Palmer Drive. These are the last two canister-style lift stations that we are moving to replace. Those projects total \$1.9 million. The SRF rates for this quarter are at 3.11%.

Clerk-Treasurer Rhodes asked for confirmation that those projects are contingent on an SRF loan, and Director Henderson responded that they are. Clerk-Treasurer Rhodes commented that she wanted the Council to have a sense of the sequence of events that may unfold in 2014 with financing Wastewater projects.

COMMON COUNCIL MEETING MINUTES, March 3, 2014, CONTINUED

Director Henderson stated that we are doing our best to provide the best value for the dollar for our user fees as far as improving the plant and collection system and adding capacity for additional growth. This is as far west as we will be able to go. We are trying to plan ahead to get the maximum value out of our current rates.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			
VanBogaert	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 09-14 passed on first reading.

Councilor Keen moved to suspend the rules and hear Ordinance No. 09-14 on second and final reading. Councilor Burch seconded the motion.

The motion passed by voice vote.

Mayor Dennis read Ordinance No. 09-14 by title only.

Councilor Keen moved for passage of Ordinance No. 09-14 on second reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilor Keen commented that in light of the discussion with the anticipation of rates, he feels that it would be prudent to proceed forward with this. It will give the latitude of having the option available to move forward when the time comes if this is approved now.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			
VanBogaert	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 09-14 passed on second and final reading.

Ordinance No. 10-14 To Rezone Certain Real Estate Within The City Of West Lafayette, Indiana And Designating The Time When The Same Shall Take Effect (225 Northwestern PD) (Golden Paws Investments, Inc.) (CBW to PDMX) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 10-14 by title only.

Councilor Keen moved for passage of Ordinance No. 10-14 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Dan Teder (Reiling Teder & Schrier, LLC), representing the petitioner, stated that the petitioner's representative, Alan White, is present this evening, along with Barry Knechtel of KJG Architecture, Tim Balensiefer with T-Bird Design, and construction manager, Ron Whistler. He stated that we are requested rezoning from CBW to PDMX. The project is known as, and is located at, 225 Northwestern. This received favorable staff recommendation and a unanimous favorable vote from the Area Plan Commission (APC). He stated that this will be approximately a \$7 million project when completed. The assessed value for Bar Barry Liquors, currently on the site, is approximately \$500,000. He anticipates that this will increase at least ten-fold, so there is a substantial increase for the City with that. He stated that the petitioner intends to do demolition to start the project this summer, and plans to be completed in the fall of 2015. The building will have five stories, with the first floor being 5,200 square feet of commercial space. The four stories above that will be multi-family student apartments with 44 units with 56 bedrooms. There will be 24 parking spaces on-site, and 10 spaces at the library. The library spaces were achieved with a minor modification. There will also be four new public parking spaces created on Northwestern Avenue. There will be one space for each retail client in the site as well. The parking-to-bedroom ratio for this is 0.57, which he pointed out is higher than both the APC and this Council approved for the State Street Corner at 0.53 and State Street Commons at 0.5. It is above what was done in the past, and he believes that is why the APC and the City staff have been supportive of this request. He stated that the APC has determined that the reduced parking is appropriate in this area, and Public Works Director Buck and Director of Development Poole concur. He stated that the library feels that they have additional parking available and that another minor modification could be done after a process with the City, and the same for Chauncey Square. Mr. Teder noted that the Panda Express was a project he was involved in, and is also in the Village with one parking space. It has been a successful business and has had no need or request for additional parking. He believes part of the reason the APC and staff goes along with this is that we have Purdue Grant Street parking garage and the library parking garage. The Grant Street parking garage has free parking on weekends, holidays, and after 5 p.m. There is also free parking at the library when it is closed. He believes the parking requirements have been satisfied. There will also be an on-street commercial loading site on North Street, which was not done for the residential units because most of them will be furnished. Mr. Teder described the streetscape, saying that there will be 12-foot wide sidewalks, part of which will hold street trees, bike loops, and street furniture which will be an improvement to the area. He stated that they are considering a group that wants to put in an office space in the commercial portion of the building, but they are waiting on Bar Barry to make a decision. Restaurants are not anticipated for the space. Mr. Teder stated the current 6-inch sewer will be increased to an 8-inch to improve that, and the public portion will be funded with TIF money. Mr. Teder explained that this went through the planned development process which includes a lot of negotiations. The first couple of plans did not get approval from Directors Buck or Poole as this corner is important and needs to have something special. In that regard, pitched roofs and protruding balconies were added. There is minimal lighting and signage. Mr. Teder noted that the petitioner is a local developer who has been very successful in the community, including with the land around Meijer off of State Road 26 in Lafayette and the K-

Mart site off of Nighthawk Drive. He is committed to doing this and building what West Lafayette wants.

Councilor Burch asked if Northwestern Avenue will still be one-way at this location and will there be stoplights at North Street and Northwestern Avenue in the future.

Director Buck responded that it is proposed to remain one-way. The layout would accommodate a future change to a one-way north bound or a two-way street. There is no foreseeable need for a traffic light in that location.

Councilor Dietrich asked about the standard width of a parking space.

Director Buck responded that it is 8 feet for on-street and on-site parking spaces are 9-foot in width. There are some compact spaces on the on-site parking for this project.

Councilor VanBogaert asked if there are plans to expand the pedestrian crosswalk at North and Northwestern. Since there will not be a light, it is challenging given how wide that street is. He asked if there are plans to have a crossing the same as the one further down the block at Columbia and Northwestern.

Director Buck responded that a marked crosswalk could easily be done as demand warrants it. This development would cause a change in pedestrian trip demand at that node. There is a lot of through pedestrian traffic over to campus because North Street leads to a spine. There is a mid-block crossing on Grant Street at North Side. Now that US 231 has been opened and the State has relinquished all of the State highways in the City to the City, there will be a lot of changes in traffic patterns. The long-term transportation plan for Northwestern currently is to have a change to one-way north bound and deter traffic onto Vine Street and connect with Fowler and Wiggins, but it is still being studied.

Councilor VanBogaert stated that he knows that a lot of people cross at odd angles in that area and he would like to see that improve if the finances are available.

Director Buck stated that there is a lot in flux right now with the roads and traffic in general, but we have an eye on improving this corner regardless of what happens with this development.

Councilor VanBogaert stated that he was surprised to learn at the Pre-Council meeting that Director Buck felt that an overlap between the State Street Corner project and this project was actually preferable to them being blocked one and then the other.

Director Buck confirmed for Councilor VanBogaert that he does not think that the State Street Corner project would proceed prior to the completion of this project, saying that he thinks it will be challenging for the State Street Corner project to pick up again and complete the utility coordination that needs done. To overlap the projects would minimize the duration of disruption would be an advantage. He explained that it would dovetail nicely with the two maintenance and traffic plans, which were not done in a vacuum; the development of this maintenance and traffic plan was done knowing that the overlap could happen. Director Buck provided some detail for Councilor Hunt what will be done to improve the on-street parking in the area.

Director Poole stated that this has been a nine-month process of negotiations with the development team, and the team listened to requests such as changing to a pitched roof, and making usable balconies. He said that the development team did a great job and we are very

proud of it. They also did a great job at Wabash Commons. He stated that he is very supportive of this project and he hopes the Council supports it as well.

Mayor Dennis asked about the impact with the State Street Master Plan.

Director Poole responded that the Plan does not go this far into the neighborhood in addressing any type of development concerns. It addresses the fact that there is opportunity for redevelopment in the Village itself. This project addresses a lot of the needs we have in the Village. The fact that there is more commercial and housing coming in with a denser variety helps legitimize all of the efforts that have been done so far on the State Street Master Plan by saying that here is opportunity and investment coming to the State Street area. He feels that this project helps to move the State Street Master Plan forward.

Councilor Dietrich asked if this project will put more vehicle traffic at the intersection of State Street and Northwestern Avenue.

Director Buck stated that he does not believe there will be a change in traffic because of this development. There will be greater changes because of the transportation plan that is being developed and potential changes to the traffic pattern to try to make things more accessible, including more two-way streets. That is some of what the State Street Master Plan is looking at, and it does kind of overlap this far away from State Street. That is what we are looking at with the Perimeter Parkway and the overall master transportation plan. He does not believe that this location is a vehicular-oriented destination; it is pedestrian-oriented.

Councilor VanBogaert stated that he has been both a residential and commercial renter in this area and he believes one advantage to the development done over the last three years is that the rent prices have been relatively stable. The Council has approved Wabash Commons, the second half of Chauncey Square, Grant Street Station, and 720 Northwestern. From the standpoint of this developer in making sure that this project succeeds, he asked what the understanding is of the rental market in this area. Given that there are a significant number of beds in the pipeline, he asked if there are concerns about the viability of this project as a business venture given that a lot of that supply has not been realized in the rental market yet.

Director Poole answered that he does not have any concerns mainly because last summer when the APC did a vacancy rate study on the near-campus area the rate was between 1% and 2%, which is rather strong. He explained that typically in a commercial development, a 10% vacancy is healthy. This development with only 56 beds is a smaller development. With the densification of the near-campus area, the new beds will all be absorbed over time, and this development is very close to campus. He feels confident that this project will lease-up and that this will be a successful project.

Councilor Burch commented that she is pleased with that Mr. White has done with the former K-Mart location and she has complete confidence in him to make this project just as outstanding if not more so.

Councilor Dietrich stated that he has a couple of cosmetic concerns. The first is traffic flow coming out of the parking lot. He asked if they are going into the existing alley to get out, and Mr. Teder responded yes. Councilor Dietrich asked if the trees seen in the back of the parking lot are in a paved area with grates or a grass area next to the bicycle barn.

Barry Knechtel (KJG Architecture) responded that in the landscape plan, those are two trees and then additional shrubs on the ground.

Councilor Dietrich asked how the trash chute would be accessed by the residents as there are cars parked right up to it, the bike barn, and the shrubbery and tree.

Mr. Knechtel responded that there is a door on the sidewalk to the south to enter the trash enclosure. He confirmed for Councilor Dietrich that the bike barn holds 20 bikes.

Councilor Dietrich stated that this is a great improvement in the area and a great project, but his concern is that it is not known what will go into the retail property. Two parking spaces of the 24 have been allocated for operation of business there with no accommodation for retail parking. He described current parking issues and stated his concern that there will not be enough spaces to accommodate the operation.

Mr. Teder stated that, again, the Council approved other projects without knowing exactly what was going in and there was less of a parking ratio, and Panda Express is having no problems. He does not disagree that there are certain times that it is busy, but he saw one morning that Einstein's was packed but there was still plenty of street parking. He believes that parking is available and that when this comes in people will generate to other areas to find parking if needed.

Councilor Dietrich stated that it is not just daytime or early morning parking. He spoke on the phone with Alan White around 4:00 this afternoon while driving down that street and there was not a spot available. He stated that an office space would not be a problem, but if it is something that draws more in-and-out traffic, the area will be more congested. His concern is that we do not know what is coming in there and there is no accommodation for it in the plan.

Councilor Bunder asked for an explanation of what a minor modification is, for the group here tonight as it was misunderstood at the Pre-Council meeting.

Mr. Teder responded that a planned development cannot be changed from what is passed by the APC and the Council except a few items in the Unified Zoning Ordinance which allows for a minor modification by the Administrative Officer. The minor modification is requested by petition to the original petition that was filed. If the APC approves, the Administrative Officer here, Public Works Director Buck, looks at it and decides whether to approve it.

Councilor Bunder stated that he wanted to make sure that everybody understood that a minor modification is not making smaller spaces. It is saying that the number of spaces for the original project is not needed.

Councilor Dietrich, aiming his question to Director Poole, asked if his concerns are off base with this property or if the concerns are shared.

Director Poole responded that the concern is a legitimate one which was discussed at length during the process, but as with any commercial development there is an idea of what to bring in, but it is not all signed, sealed, and delivered when the plan is approved. The concerns are fair, but we have been through that quite a bit, and he does not believe that the staff or the APC staff would bring a project to Council without already discussing it at length with the developer and being satisfied.

Councilor Dietrich and Director Poole discussed how restrictions have been placed on some properties, such as certain hours for bars. Director Poole explained that this was mainly to keep it uniform throughout the Village to ease answering Police calls.

Councilor Dietrich asked City Attorney Burns if the City has any authority to give parameters into what may come in there based on these concerns.

City Attorney Burns responded that the process is set up to allow that to have already happened.

Director Poole stated that when going through the processes, we ask what kind of uses are coming in, and ask for things such as adult entertainment not to come in.

Mr. Teder confirmed for Councilor Dietrich that this is written into the plan; there is a list of what can and cannot be done.

Councilor Thomas asked what the next step of the process would be if this does not pass, and Director Pool answered that it would start over.

Councilor Bunder stated that he has spent a lot of time on this Council riding or walking around with people to look at parking spaces, and he described one occasion when the parking spaces did not exist. He stated that this five-story project makes him nervous given this projects uses the last flex spaces at the library and that parking is the way into the larger question of density. He understands that some may be more likely to walk than drive, but he continues to be concerned about the density.

Councilor Burch stated that she thought we were working on a pedestrian and bicycle friendly community. She thinks this development would add to that mentality.

Councilor Hunt commented that the Morton Center is sitting there with a vulnerable parking lot and it is busy. Now that we have moved some City Hall employees there it will be busier, and she thinks it will need to be patrolled.

Zachary Baiel (124 Connolly Street) stated that the State Street Master Plan is wrapping up and he expressed his appreciation for being able to serve that project in various capacities. He thought that it would be similar to the New Chauncey Land Use Plan. He stated that the two most powerful components missing from the State Street Master Plan were the strategic plan and the zoning map. He stated that we now have another mix-used planned development before us, which he described as another piecemeal patchwork attempt at the fragmented development that will probably just benefit the Golden Paws Investment group and their pocketbooks and little else for the community at large. Mr. Baiel asked the Council to vote no on this project, speaking of how the City should stick to a strategic planned development and encourage projects that are within the current CBW zone. He stated that how the Council votes will impact generations to come.

Mary Cook (329 W. State Street) stated that while attending Council meetings she has observed that the majority of local community members show up to speak are concerned about parking issues, density, and quality of life. She stated that we would not be here without the University. She asked where we want people to live as the University continues to grow, and she feels that it makes sense to work within the confines of the Village, and the majority of the people do walk. She stated that unless the people of District 2 want people living in their houses or paying to live in Lafayette and driving to Purdue, she does not understand not working within the community of the Village to enhance it and improve it for everybody.

Thomas Kesler (479 Maple Street) stated that he agrees with what he heard about parking in the area. He has found it a challenge to find a place to park in the Village. He sees a "me too"

factor for five-story buildings in full swing. He expressed his agreement with the comments and concerns about the parking.

Linda Peyton (700 N. Chauncey Avenue) stated that she is both a homeowner and a small business owner, and she is concerned about all that is going in here. She expressed concern about the parking spaces, commenting on how many people she sees attend toddler story time at the library. She stated that if spaces are leased out, it will give up spaces from tax paying people who want to enjoy things within the neighborhood. She also expressed concern about the crosswalk there, saying that a five-story building will bring more traffic and she does not believe that students will not park there. She asked the Council to reconsider the project.

Councilor Hunt asked Councilor Bunder, being from District 2, about the argument that if we want to keep people out of private homes then apartments should be built here.

Councilor Bunder responded that the question is not where the apartments are, it is how much the apartments cost. Young adults use houses in the neighborhood because they are cheap. He stated that the question for him is not to see these projects as relieving the student housing challenge in District 2, because the target population is quite different. The reasons for renting a home for a few guys from the football team are different than buying into an apartment complex where the countertops are high-end.

Councilor VanBogaert stated that it is a good point to raise. There are, to an extent, different markets. As the supply of more expensive apartments has expanded, those have been filled by students who had a willingness to pay higher prices but not opportunity. This was part of this earlier question to Director Poole about if we could absorb new beds at this price. That said, Chauncey Square which is probably the most expensive development in this area, still leases all units by late spring. He believes that it says something substantial that even after that supply was added along with several other projects in that tier, that they have a 0% threshold instead of 10%. He stated that whether the University decides to expand residential halls would have an impact on the City's developments. He noted that there has not been an increase in enrollment for a couple of years, but students are still moving to these more dense developments near campus. He speculated that the students are leaving developments that are further flung-out and coming closer to campus, which helps the driving problem near campus. He spoke of his experience as an undergraduate without a car and the importance of being near the campus in that case. Councilor VanBogaert stated that he does have more concerns than when the Council approved State Street Corner and a few others because there is a lot that we cannot see, including the supply in the pipeline, but he feels he must fall on the optimistic side that there is an appetite for these bedrooms in this location. He stated that Council should look at how this will affect rental properties in the outskirts, which is relevant to law enforcement, and that the buildings off of US 52 will cease to be student rentals. He believes that is helpful because it allows non-students to have rental accessibility in the City. Being mindful of that, he believes that this is a project that can survive and there is no compelling reason not to approve it. He stated that there is a lot of potential tax revenue in this project. Noting that he agrees with Mr. Baiel that the current zoning system is broken, he does not know if we wait for a plan to come through that we will get something different on this spot than the current old liquor store. He believes this project is the character of the development that will go in this location because it is the character of Chauncey Square and what is planned for State Street Corner. He believes this planned development gives us more control on a regulatory basis than if a broader zoning reform is adopted. He feels he has to fall on the side of supporting this project.

COMMON COUNCIL MEETING MINUTES, March 3, 2014, CONTINUED

Councilor Dietrich stated that Alan White is an extremely talented developer and there must be a market for this or Mr. White would not be doing this project. He asked Mr. White if he was correct that ten of the apartments would not have vehicles per lease agreement.

Mr. White responded that the concept was discussed with the APC, but the leasing of the library parking spaces fulfilled the requirements of the APC and the City.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder		✓		
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas		✓		
VanBogaert	✓			

Clerk-Treasurer Rhodes stated that the vote was 5 AYES and 2 NAYS.

Mayor Dennis announced that Ordinance No. 10-14 passed on first and only reading.

Resolution No. 01-14 A Resolution To Establish A Cash Change Fund For The Engineering Department (Prepared by the Clerk-Treasurer)

Mayor Dennis read Resolution No. 01-14 by title only.

Councilor Keen moved for passage of Resolution No. 01-14 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Clerk-Treasurer Rhodes explained that this new cash change fund is needed due to the relocations of the Engineering Department quite a distance from the Clerk-Treasurer's Office. The Engineer's Office will now be responsible for accepting payments.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			
VanBogaert	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Resolution No. 01-14 passed on first and only reading.

COMMUNICATIONS

► Mayor Dennis reported that he spent last week in Washington DC speaking with our federal legislators and it was a good trip. The legislators were informed; they knew about West Lafayette, they knew about the annexation, and they were familiar with some of the City's issues. He pressed them for assistance with the State Street Master Plan as well as talking about visas for our international Purdue Students. He stated that they were receptive to both of those and it was a constructive few days. He also reported that his Jimmy John's commercial is on national TV.

CITIZEN COMMENTS

Mr. Kesler thanked the Street Department for handling various leaf piles, and the City employees who have served in the brutally cold weather. He expressed his appreciation of local leaders who have made a stand regarding the State's initiative regarding the business equipment tax. He noticed that the sewer bill has the new storm water fee, and he is glad to see that as it is an expression that the City can make in concern for the environment. He stated that there are four new walk signs at Stadium and Grant Streets, and somebody actually stopped when he used them. Mr. Kesler expressed his hope to have an extensive discussion about what will be done before any decisions are made if the problems with the City Hall building become serious. He expressed concern about unshoveled sidewalks.

A group of people spoke against construction of a proposed stone quarry by Rogers Group in the Americus area. The group's speakers were Kay Miller (Old State Road 25 North), Sally Mohler (4033 Willowood Drive, Lafayette), and Laura Kesler (479 Maple Street). Ms. Miller explained that they presented this information to the Council because it appoints a member to the Board of Zoning Appeals. Discussion included concerns about increased noise, air, and light pollution, flooding issues including problems with well water, a detriment to economic development, loss of tourism dollars, and property values. Councilors Bunder, Keen, and Hunt discussed that the APC Zoning Board member is Dr. Carl Griffith and the West Lafayette member is Larry Leverenz, and asked that these members be contacted. Ms. Miller stated that they are not allowed to contact any of them to talk about this issue. City Attorney Burns explained that this is a State law because they are quasi-judicial so they cannot discuss pending matters outside of the confines of a meeting.

Mr. Baiel stated that he would like to remind that development success can be evaluated in a multitude of ways and he looks forward to continuing that conversation. He stated that will discuss an idea with Mr. Kesler about handling snow removal using existing ordinances that may generate revenue for neighborhoods. He noted that the news and announcements section of the City's website has not been updated since November.

Mayor Dennis announced that the lockboxes located at the City Hall building are still being checked for payments daily.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 8:48 p.m.